



NOTICE OF MEETING

Planning Committee

Thursday 21 March 2019, 7.30 pm

Council Chamber - Time Square, Market Street, Bracknell, RG12 1JD

To: The Planning Committee

Councillor Dudley (Chairman), Councillor Brossard (Vice-Chairman), Councillors Angell, Mrs Angell, D Birch, Finnie, Mrs Hayes MBE, Heydon, Dr Hill, Mrs Ingham, Leake, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Phillips, Skinner, Thompson and Worrall

Kevin Gibbs
Executive Director: Delivery

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If you require further information, please contact: Hannah Stevenson
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Published: 11 March 2019

Planning Committee
Thursday 21 March 2019, 7.30 pm
Council Chamber - Time Square, Market Street, Bracknell, RG12
1JD

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AGENDA

Page No

1. **Apologies for Absence**

To receive apologies for absence.

2. **Minutes**

To approve as a correct record the minutes of the meeting of the Committee held on 14 February 2019.

5 - 10

3. **Declarations of Interest**

Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.

Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

Any Member with an Affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.

4. **Urgent Items of Business**

Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.

Planning Applications

(Head of Planning)

The conditions for public speaking have been met in the applications marked 'PS'. For further information or to register for public speaking, please contact Customer Services 01344 352000.

5. **18/00397/FUL Westwood House, Swinley Road, Ascot, Berkshire SL5 8BA**
Erection of building accommodating 73 assisted living units with associated parking, landscaping and vehicular access/exit on to Swinley Road, following demolition of existing dwelling. 15 - 42
6. **18/01059/FUL 12 Greenways, Sandhurst, Berkshire GU47 8PJ**
Erection of single storey front, side and rear extensions and alterations to materials. 43 - 50
7. **18/01203/3 Street Record Wilwood Road, Bracknell, Berkshire**
Formation of 11no. parking spaces on 3no. sections of amenity land. 51 - 56
8. **19/00037/3 Stanley Walk, Bracknell, Berkshire**
Siting of outdoor street market with dismountable stalls for three days a week including occasional speciality themed markets and siting of associated storage container within Jubilee Gardens. 57 - 62

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**PLANNING COMMITTEE
14 FEBRUARY 2019
7.30 - 8.12 PM**

Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, D Birch, Mrs Hayes MBE, Dr Hill, Mrs Ingham, Leake, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Phillips, Skinner, Thompson and Worrall

Apologies for absence were received from:

Councillors Finnie and Heydon

71. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 17 January 2019 be approved as a correct record and signed by the Chairman.

72. Declarations of Interest

There were no declarations of interest.

73. Urgent Items of Business

There were no items of urgent business.

74. PS 18/01230/FUL The Rose and Crown, 108 High Street, Sandhurst, Berkshire GU47 8HA

Erection of 2no. dwellings with associated access, parking, landscaping and bin/cycle storage following demolition of existing outbuildings to rear of existing public house.

This item was deferred and withdrawn from the agenda.

75. 16/01039/FUL Lambrook, Winkfield Row, Bracknell, Berkshire RG42 6LU

Installation of 8no. timber columns (maximum height 5 metres) with 8no. LED lighting units (148w each) within the existing school car park fronting Winkfield Row.

A site visit had been held on Saturday, 10 February 2019, which had been attended by Councillors Angell, Mrs Angell, Brossard, Dudley, Gaw, Mrs Hayes MBE, Kennedy, Mrs McKenzie, Mrs McKenzie Boyle and Phillips.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Winkfield Parish Council.
- Eight letters of objection received from local residents, as summarised in the Agenda papers.

RESOLVED that the application be **APPROVED** subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details.

001 PL01 Location Plan - LPA received 16.11.16

005 PL/03 Proposed Car Park Lighting Plan - LPA received 13.02.19

Lambrook School Car Park Lighting Scheme dated 27.11.2018

Time Switch Technical Specification (Sangamo) - LPA received 02.06.17

Photocell Technical Specification (Royce Thompson -Oasis 2000) - LPA received 02.06.17

010 PL/00 Existing & Proposed Cable Ducting Routes - LPA received 02.06.17

Bat Mitigation and Enhancement Plan dated 22 September 2016

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03. The development shall be carried out in accordance with the approved materials.

REASON: In the interests of the visual amenities of the area.

[Relevant Policies: BFBLP Saved Policy EN20, Core Strategy DPD Policy CS7]

04. The Lighting scheme hereby permitted for the school car park shall only be illuminated as follows and controlled by a time switch and light sensor.

(i) 1st October – 15th March, Monday- Friday between 07:15 hours – 08:30 hours and 16:00 hours – 19:00 hours; and

(ii) other school related events requiring lighting as hereby approved which will need to be first agreed in writing by the Local Planning Authority in advance of each school year.

The lighting scheme shall thereafter always be controlled in accordance with the approved details.

REASON: In the interests of nature conservation and the amenities of the neighbouring residential properties and character of the area.

[Relevant Policies: BFBLP EN20 and EN15]

05. All existing lighting within the car park shall be removed no later than the first use of the car park lighting scheme hereby approved.

REASON: In the interests of nature conservation and the amenities of the neighbouring residential properties and character of the area.

[Relevant Policies: BFBLP EN20 and EN15]

06. No development shall commence until details of all new excavations relating to the approved lighting scheme, and designed to minimise their adverse impact on tree roots, have been submitted to and approved in writing by the Local Planning Authority. Details shall be site specific and include: -

An approved layout plan at a minimum scale of 1:200 scale, showing the accurate trunk positions and branch spreads of existing retained trees in relation to the proposals.

a) Layout and construction profile drawing/s.

b) Engineering/ Arboricultural construction method statement.

c) Implementation method statement including timing/ phasing of works. The excavations shall be implemented in full accordance with the approved details.

REASON: - In order to safeguard tree roots and thereby safeguard trees considered worthy of retention in the interests of visual amenity of the area. [Relevant Policies: BFBLP EN1, EN20 and CSDPD CS7]

07. The lighting scheme hereby permitted shall not be begun until:-

(i) further bat surveys have been undertaken on the tree (T1) in the car park where a hole was seen during the ecologists site visit (as identified on Arbtech Plan at Appendix 3 of the Bat Mitigation and Enhancement Plan dated 16 August 2016) and

(ii) the further survey has been submitted to and approved by the Local Planning Authority, and

(iii) either the Local Planning Authority have agreed that no relocation of bats is necessary or the relocation of an bats has been achieved in accordance with mitigation and monitoring proposals previously submitted in writing to and approved by the Local Planning Authority.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: Core Strategy CS1]

76. **18/01096/FUL 29 Spring Meadow, Bracknell, Berkshire RG12 2JP**

Change of use of amenity land to garden and erection of close boarded fence.

The Committee noted:

- The comments of Bracknell Town Council recommending refusal of the application.
- Five objections received from local residents, as summarised in the Agenda papers.

RESOLVED that the application be **APPROVED** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details, received 1st February 2019 by the Local Planning Authority:

Fencing Plans and Elevations – Drawing Number: C-2454 D

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

3. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. As a minimum, the quality of all soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code of Practice For General Landscape Operations' or any subsequent revision. All plants included within the approved details

shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications for Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

REASON: In the interests of good landscape design and the visual amenity of the area. [Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

77. **18/01202/FUL 27 Top Common, Warfield, Bracknell, Berkshire RG42 3SH**

Erection of part single part two storey rear extension, three additional windows in the northern side elevation and extension of existing driveway.

The Committee noted that:

- Warfield Parish Council had raised no objection to the application.
- There were no representations from neighbouring properties or other third parties.

RESOLVED that the application be **APPROVED** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:
Floor Plans & Elevations – Rev C – Received 10th January 2019
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in appearance those of the existing dwelling.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, CSDPD CS7]
4. The windows to be inserted into the northern elevation of the existing dwellinghouse at first floor level hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). The openable part(s) shall at all times be no less than 1.7 metres above internal floor level of the room in which the window will be installed.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the northern (side) elevation of the extension hereby permitted except for any which may be shown on the approved drawing(s).
REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

78. **18/01214/3 Land Fronting 5 To 14 Windmill Road, Bracknell, Berkshire
Formation of 11no. Parking spaces on amenity land.**

The Committee noted:

- No comments had been received from Bracknell Town Council.
- Two letters of support for the application had been received.

RESOLVED that the application be **APPROVED** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details, received 11th December 2018 by the Local Planning Authority, received 18th December 2018:
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications for Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Core Strategy DPD CS7, BFBLP 'Saved' Policies EN2 and EN20]

79. **18/01245/RTD Junction Lovel Road, Pigeonhouse Lane and North Street,
Winkfield, Windsor, Berkshire
Installation of 17.8m high monopole with an integrated equipment cabinet and 3
free standing equipment cabinets.**

This application has been withdrawn from the agenda as it has been dealt with under delegated powers (issued on 11 February 2019).

CHAIRMAN

**PLEASE NOTE PLANS FOR ALL OF THE APPLICATIONS ON THIS
AGENDA CAN BE FOUND ON OUR WEBSITE
www.bracknell-forest.gov.uk**

**PLANNING COMMITTEE
21st March 2019**

**REPORTS ON PLANNING APPLICATIONS RECEIVED
(Head of Planning)**

		Case Officer	Reporting Officer
5	18/00397/FUL Westwood House Swinley Road Ascot (Ascot Ward) Erection of building accommodating 73 assisted living units with associated parking, landscaping and vehicular access/exit on to Swinley Road, following demolition of existing dwelling. Recommendation: Refuse.	Sarah Fryer	Basia Polnik
6	18/01059/FUL 12 Greenways Sandhurst Berkshire (Central Sandhurst Ward) Erection of single storey front, side and rear extensions and alterations to materials. Recommendation:	Olivia Jones	
7	18/01203/3 Street Record Wilwood Road Bracknell Berkshire (Priestwood And Garth Ward) Formation of 11no. parking spaces on 3no. sections of amenity land. Recommendation:	Olivia Jones	
8	19/00037/3 Stanley Walk Bracknell Berkshire (Wildridings And Central Ward) Siting of outdoor street market with dismountable stalls for three days a week including occasional speciality themed markets and siting of associated storage container within Jubilee Gardens. Recommendation: Approve.		Simon Roskilly

Background Papers

Background papers comprise the relevant planning application file and any document therein with the exception of any document which would lead to disclosure of confidential or exempt information as defined in section 100A of the Local Government Act 1972 as amended.

PLANNING COMMITTEE - POLICY REFERENCES

Key to abbreviations used in the following planning reports.

BFBLP Bracknell Forest Borough Local Plan
CSDPD Core Strategy Development Plan Document
SALP Site Allocations Local Plan
RMLP Replacement Minerals Local Plan
WLP Waste Local Plan for Berkshire

SPG Supplementary Planning Guidance
SPD Supplementary Planning Document

RSS Regional Spatial Strategy (also known as the SEP South East Plan)

NPPF National Planning Policy Framework (Published by DCLG)
NPPG National Planning Policy Guidance (Published by DCLG)
PPS (No.) Planning Policy Statement (Published by DCLG)
MPG Minerals Planning Guidance
DCLG Department for Communities and Local Government

SITE LOCATION PLAN

For information the plans are orientated so that north is always at the top of the page.

THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 (“the HRA”) makes it unlawful for a public authority to act in a way that is incompatible with the rights set out in the European Convention of Human Rights.

Those rights include:-

Article 8 – “Everyone has the right to respect for his private and family life, his home.....”

Article 1 - First Protocol “Every natural or legal person is entitled to the peaceful enjoyment of his possessions”.

In some circumstances a local authority may be under an obligation to take positive action to protect an individuals interests under Article 8.

The relevant Convention Rights are not absolute. A Council may take action even though it interferes with private and family life, home and enjoyment of possessions, if it is for a legitimate purpose, necessary and proportionate. In effect a balancing exercise has to be conducted between the interests of the individual and the wider public interest.

Such a test very largely replicates the balancing exercise which the Council conducts under domestic planning legislation.

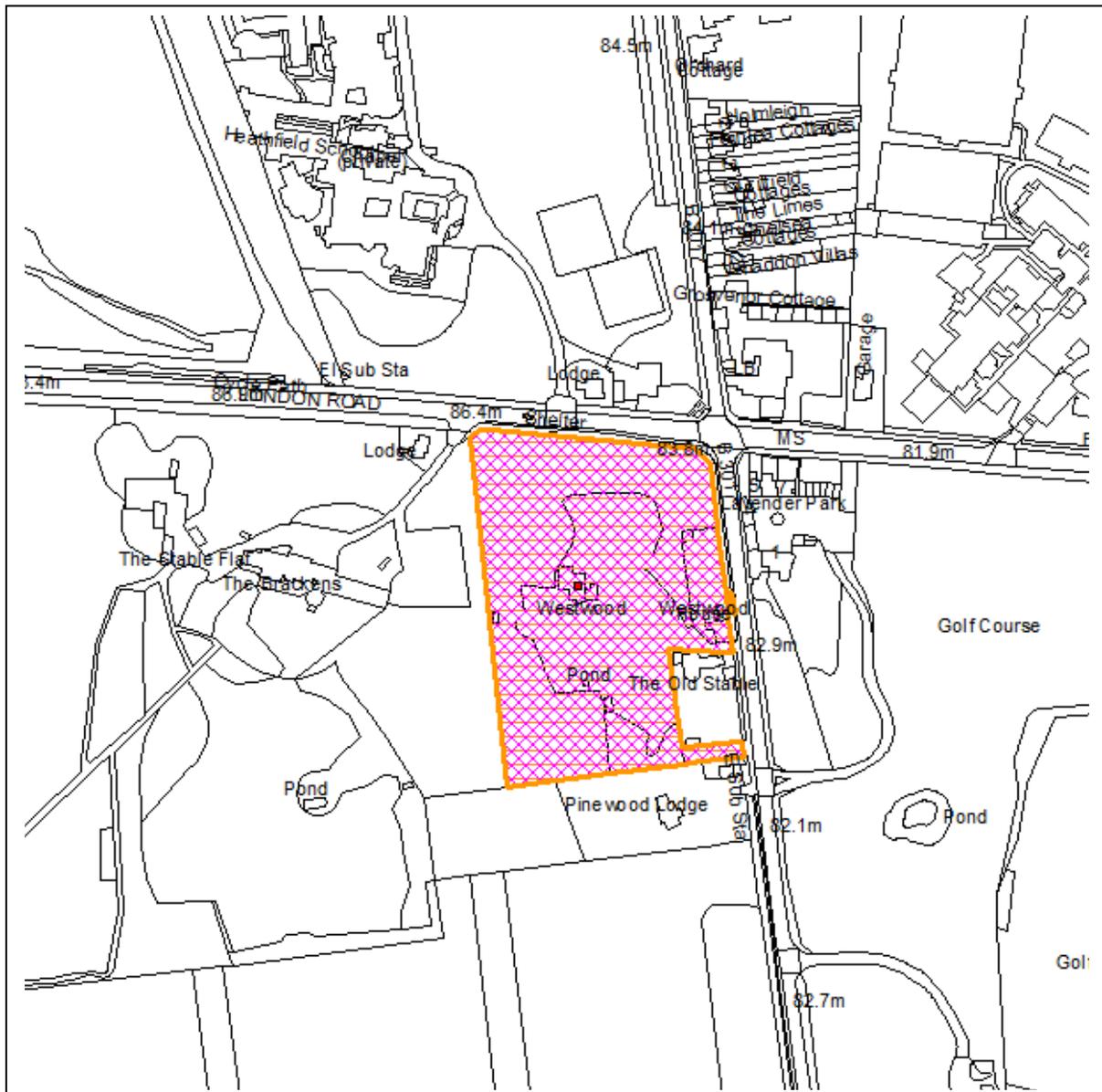
The provisions of the Human Rights Act 1998 have been taken into account in the preparation of the reports contained in this agenda.

The Human Rights Act will not be specifically referred to elsewhere [in the Agenda] beyond this general statement, unless there are exceptional circumstances which require a more

detailed consideration of any Convention Rights affected.

ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
18/00397/FUL	Ascot	20 April 2018	20 July 2018
Site Address:	Westwood House Swinley Road Ascot Berkshire SL5 8BA		
Proposal:	Erection of building accommodating 73 assisted living units with associated parking, landscaping and vehicular access/exit on to Swinley Road, following demolition of existing dwelling.		
Applicant:	Castleoak		
Agent:	Giles Brockbank		
Case Officer:	Sarah Fryer, 01344 352000 development.control@bracknell-forest.gov.uk		

Site Location Plan (for identification purposes only, not to scale)



OFFICER REPORT

1. SUMMARY

1.1 This application seeks consent for the demolition of the existing dwelling and erection of a 73 unit care facility aimed at older persons. The proposal would range between 3 and 4 stories in height, contain communal facilities for residents and separate staff facilities. The building would be orientated north-south and set within landscaped grounds. Parking is located to the south of the building with access and egress from Swinley Road.

1.2 RECOMMENDATION

RECOMMENDATION
Planning permission be refused for the reasons set out in Section 11 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been called to the Planning Committee by Councillor Virgo due to it being a good addition to the community given its location close to the Heatherwood Hospital and Forresters.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
On Land outside defined settlement
Within 5km of the Thames Basin Heath SPA

3.1 This application relates to a site known as Westwood House located to the southwest of the junction between Swinley Road and London Road between the settlements of Bracknell and Ascot.

3.2 The site is 1.98ha in size and is roughly rectangular in shape, with access currently from Swinley Road. To the north the site borders London Road, and to the east Swinley Road. To the south the site abuts Pinewood Lodge and a conifer plantation which also has seasonal use as a visitor attraction (Lapland UK).

3.3 London Road is the main road connecting Bracknell with Ascot and has a footpath/cycle path along it. Swinley Road in comparison is more rural with a narrower informal footpath and vegetation closer to the carriageway.

3.4 The site currently contains a large dilapidated two storey, detached dwelling with remnants of tennis courts and other hard surfaced areas within the grounds, principally located to the northern part of the site. At the entrance is another dwelling forming a lodge, which is counted as a separate dwelling.

3.5 The site is the subject of a Tree Preservation Order (TPO282), and has many trees, around its perimeter, leaving an open lawned area with a few isolated trees in the centre.

3.6 Access to the site is currently gained off Swinley Road at a location to the north of the property known as 'The Stables' and consists of a compacted and partly overgrown gravel driveway which leads up to the house.

4. RELEVANT SITE HISTORY

4.1 Various previous applications relate to the existing dwelling (extensions, gates etc.) and are not relevant to this application.

5. THE PROPOSAL

5.1 Planning permission is sought for the demolition of the existing dwelling and erection of 73 assisted living units along with communal lounge/ dining rooms, kitchens, hair salon and treatment room. The proposal would be contained within a large three and four storey building, orientated north to south within the site. The building would be set in landscaped grounds, with parking principally located to the south.

5.2 It was established through the pre-application process that the use could be considered as C2 (Residential Institutions). This use class includes 'residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres'. Having regard to relevant appeal decisions it was considered that on balance the C2 classification was appropriate due to the amount and number of communal facilities for providing care within the development and the applicant's assurance that residents would only be permitted to occupy a unit when they required a certain level of care. This can be secured through a S106 obligation along with an age restriction as considered necessary.

5.3 Vehicular access would remain from Swinley Road but would be re-modelled to provide separate accesses for in and out movements. Pedestrian access is proposed from London Road.



5.4 The proposal consists of a single large building which has been designed with a number of separate elements to reduce its perceived scale. It is orientated on a north- south axis with

smaller wings. Formal communal gardens would be located to the west of the building, with parking and services, including bin storage, located to the south and east.

5.5 The building ranges between 3 and 4 storeys in height, with total height to the ridge between 13.66m and 16.6m. The mass of the building has to some extent been broken by introducing staggers to the building, creating relief and breaking up the roof line. Chimneys are also used to give a traditional appearance to the building. Gables are a key feature within the design with external balconies providing private outside space to individual units.

5.6 A variety of materials including stone cladding, brick and weather boarding has been proposed to be used on the building.



East elevation

6. REPRESENTATIONS RECEIVED

6.1 5 objections have been received on the following grounds:

- Due to the height of the proposed building the proposal will result in overlooking of the nearby property 'The Stables'.
- Proposed car parking adjacent to the shared boundary would result in fumes and odours adjacent to the neighbouring property. A 2.5m acoustic fence should be erected along the boundary between The Stables and the application site to reduce the effects.
- Scale of the building would be overbearing and has the potential to have an oppressive impact on the neighbouring property.
- Mature trees and screening should be retained.
- Whilst this is previously developed land within the Countryside, the proposal due to its size would result in overdevelopment of the site and affect the green gap.
- Swinley Road is totally unsuitable for a development of this nature due to the amount of traffic, lack of pavement, etc.
- There is no demonstrated need for this facility as there is an existing suitable facility at Ascot Priory.
- The erection of a 3-4 storey building within the Countryside is inappropriate.
- The residents would have to drive to access facilities, adding more traffic to the network which is overloaded.
- Design of the proposed building is unsympathetic and out of character with the rural surroundings.
- Objects to the location of motorcycle parking bays and electric substation adjacent to residential boundary.

Winkfield Parish Council

6.2 Access to Swinley Road is unsuitable, pedestrian access to the site is impractical (being largely unpassable) and the parking provision is insufficient. These factors combine to create a

dangerous highway situation. Furthermore the proposals cause a closure of the green gap contrary to local and national planning policy.

The Bracknell Forest Society

- Consider the erection of a four storey development on the edge of an urban area and within 800m of a SSSI as inappropriate.
- Concern about the effect of the proposal on the biodiversity of the Whitmoor Bog.
- Consider that the proposed development is unsustainable as it is located away from shops, doctors, and poorly served by public transport.
- Parking provision is totally inadequate.

7. SUMMARY OF CONSULTATION RESPONSES

Thames Water: No objection regarding Foul Water sewage network.

Archaeology: No objection subject to condition.

Drainage: No objection subject to conditions.

Ecology: No objection subject to conditions.

Environmental Health: No objection subject to condition.

Highways: No objection but seeks to secure the designation of some land for highway purpose.

SPA: Providing the development is mitigated in accordance with the appropriate assessment, no objection to the proposal.

Trees: Proposal would result in the loss of significant and important trees within the site.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

8.1 The key policies and guidance applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS15, CS16 of the CSDPD, H5 of BFBLP, SA6 of SALP.	Generally consistent The NPPF supports providing a range of homes (para. 8)
Countryside	CS9 of CSDPD, EN8 of the BFBLP	Not wholly consistent- NPPF does not support protecting the Countryside for its own sake instead 'protecting and enhancing valued landscapes' (para.) 170
Residential amenity	EN20 and EN25 of BFBLP.	Consistent

Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
Impact of development	CS6 of CSDPD	
Pollution	Saved policy EN25 of BFBLP	
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Design SPD		
Parking standards SPD		
Planning Obligations SPD		
Other publications		
National Planning Policy Framework (NPPF Feb. 2019) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
Landscape Character Assessment		
Bracknell Forest Landscape Recommendations Report		
SHMA		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Need
- iii. Impact on character and appearance of surrounding area
- iv. Trees
- v. Impact on residential amenity
- vi. Transport Implications
- vii. Sustainability (distance to services)
- viii. Drainage
- ix. Sustainability (resources)
- x. Thames Basin Heaths SPA
- xi. Securing necessary infrastructure
- xii. Pollution
- xiii. Ecology

- i Principle of development

9.2 The Council can demonstrate a 5 year supply of housing land, including the relevant buffers required by the NPPF. Accordingly, policies which affect the supply of housing land can be attributed full weight.

9.3 Policy CS9 of the CSDPD states that the Council will protect land outside settlements for its own sake particularly from development which would adversely affect the character, appearance or function of the land.

9.4 Policy EN8 of the Bracknell Forest Borough Local Plan (BFBLP) considers development on land outside settlements. This policy states that the countryside will be protected for its own sake and development will only be permitted where it would not adversely affect the character, appearance or function of the land.

9.5 However, The NPPF seeks to protect and enhance the valued landscapes and recognises the intrinsic character and beauty of the countryside. Accordingly, both Policies CS9 of the CSDPD and EN8 of the BFLP, which seek blanket protection are not considered to be fully consistent with the NPPF and therefore the weight that can be given to the policy is reduced.

9.6 The site is considered to be Previously Developed Land (PDL) as it contains a residential dwelling with ancillary tennis courts and parking. Chapter 11 of the NPPF aims to make as much use as possible of previously developed or 'brownfield' land (Para. 117; NPPF 2019). Point d) of paragraph 118 of the NPPF specifically supports 'the development of under-utilised land and buildings especially if this would help to meet identified needs for housing' (my underlining). The NPPF, in defining PDL, also states that '...it should not be assumed that the whole of the curtilage should be developed.' Policies CS9 and EN8 are not therefore fully consistent with the NPPF, in this respect.

9.7 Applying adopted policy, the principle of development is contrary to adopted Bracknell Forest Development Plan Policies as they do not make any concessions for development of previously developed land outside the settlement boundary. It is accepted that these policies that are significant in determining the application are out-of-date in terms of paragraph 11 of the NPPF, and that it is therefore necessary to look at whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of granting permission. This is dealt with in the conclusions to the report.

ii Need

9.8 The NPPF states that strategic polices should be informed by a local housing needs assessment conducted using the standard method. The size, type and tenure of housing needed for different groups should be assessed and reflected in planning policies (including...older people' (para. 61). Residential developments which would meet a need should therefore be given weight within the decision making process.

9.9 The application states that the proposal would meet an identified need within the borough in terms of providing accommodation to meet the needs of older persons, which would prolong independence and promote companionship

9.10 Accommodation for older people can fall within two categories, Use Class C2 or Use Class C3 (assisted living).

9.11 The application is for Use Class C2 which the housing Learning and Information Network (Housinglin.org) group defines as “Use for the provision of residential accommodation and care for people in need of care” the definition does not take into account the type of accommodation, and Inspectors have accepted that self-contained flats within a block offering care and support services can be considered as C2 use. Officers have therefore accepted this and therefore no affordable housing is being sought from this scheme. This use class has also been accepted at another scheme, the former Waterloo Hotel, Crowthorne which has recently been completed. This scheme provides accommodation in the form of 51 Assisted Living apartments (use class C2) for frail older persons including communal facilities, parking provision and associated landscaping (reference 15/00440/FUL). There are similarities between the two schemes; both have self-contained apartments and both have a larger proportion of their floorspace given over to communal facilities than would be found within an average apartment block. Accordingly it is considered appropriate to treat the two schemes the same way.

9.12 The applicants state that the proposal would contribute towards the C3 (assisted living) Council SHMA target as the proposal is not just beds within a larger home but enables residents to live independently within self-contained flats with the security of facilities, support and care on hand should they be required. The Berkshire (including South Bucks) Strategic Housing Market Assessment (SHMA) contains two separate targets for housing for older people i.e. accommodation falling within Use Class C3 (set out as units) and that falling within Use Class C2 (set out as bedspaces). Since publication of the SHMA, the Government has introduced the Housing Delivery Test (HDT). The HDT Rule Book (July 2018) and subsequent 2018 Measurement Technical Note (February 2019) make it clear that an adjustment should be applied to communal bedspaces to calculate the number of net dwellings that would be freed up from net additional communal accommodation built by applying a national ratio of 1.8.

9.13 The Local Planning Authority needs to be consistent in its consideration of similar schemes and in its monitoring work. It has been agreed that this scheme should be treated as falling within Use Class C2 as discussed above at paragraph 5.2

9.14 The applicants have submitted a needs report in support of the proposal which concludes that a significant shortfall in assisted living accommodation exists. It also considers that the demand for assisted living accommodation has not yet been established as every scheme has been occupied to capacity. They have also submitted a graph showing how demand would increase year on year if not met, and say that this scheme would go towards meeting that need.

9.15 The applicant’s need report draws information from the Draft Housing Strategy and Older Persons Accommodation Support Strategy. It focuses on the provision of Assisted Living Accommodation within the Borough and concludes that the apparent under supply is substantial and the report’s authors are unaware of significant ongoing development to meet and make up the increasing shortfall.

9.16 As indicated above, the Council’s need for older persons accommodation is established by the SHMA. A Housing Background Paper (February 2018) has been produced in support of the emerging Local Plan. In addition the Council has published a Housing Strategy covering the period 2013-2036 (approved by the Executive in March 2018).

9.17 The Housing Background Paper produced in support of the emerging Local Plan, estimates that 13.3% of the population of Bracknell Forest were aged 65 years or older. This was projected to rise by 89.9% over the period of 2013-2036. This report also found that to meet

this need a range of tenure types would be required as well as specialist housing to take into account the expected rise in levels of disability and health problems. The Council therefore acknowledges that there is a need to provide specialist housing, which should include a variety of tenures, to meet this demand.

9.18 The SHMA predicts a need of 1,320 C3 assisted living units and 319 C2 bed-spaces to be provided over the period from 2013 to 2036. This equates to a need to provide 57.39 units and 13.87 C2 bed spaces (or 8 units using the adjustment factor) per year over that period.

9.19 The Draft Housing Strategy highlights uncertainty in terms of what accommodation individuals will choose, and therefore predicting how much and what type of housing will be required to accommodate an ageing population is difficult and not an exact science. Accordingly it is reasonable to suppose that whilst there is a need to accommodate a growing elderly population, not all of that population will want to occupy the type of accommodation being proposed here.

9.20 The latest available housing commitments data is at 31st March 2018. It sets out the housing supply levels within the Borough and is split into proposals that have been accepted in principle, those that have planning permission but have not yet commenced, those that have commenced and those that have been completed. In respect of Specialist Housing for Older People, these are broken down into sectors of the market including schemes falling within Class C2 and those falling within Class C3. The data collected shows that between April 2013 and March 2018, 13 units of C2 accommodation have been provided compared with a requirement of 40. However, at 31st March 2018 a further 51 units of C2 accommodation were under construction (subsequently completed), which are likely to compensate for past under delivery. Additionally, 130 units of C3 specialist housing) have been delivered compared with a need for 285 units within Bracknell Forest. So whilst the need for C2 units is generally being met, it appears there may be unmet need for C3 assisted living units.

9.21 It is acknowledged that as people live longer there will be an ageing population with specific needs. The proposed model would meet part of that need, enable individuals or couples to stay together and live with as much independence as they want with the knowledge that should needs change, they can change the level of care provided without having to move or be separated from a spouse. It also provides for a more vibrant and social community than a traditional care home and hence would have health and well-being benefits for any future occupants. This carries limited weight in favour of the proposal.

9.22 Because the application is for C2 use, there is no requirement for the applicant to provide any affordable housing.

9.23 The results of the housing commitments survey demonstrate that both C2 and C3 (assisted living) proposals are coming forwards and being delivered/planned within the Borough. Future schemes include some substantial developments within large allocations including developments at TRL (60 bed care home), Warfield and Broadmoor.

9.24 The Council is currently in the process of producing a Local Plan which includes allocations for residential development. The draft Local Plan proposes a policy which seeks to support residential schemes to meet the need of an ageing population. Due to the current stage of this plan, no weight can be attributed to the policy, but it demonstrates the Council's intention to meet the needs of an ageing population. The NPPF supports a plan led approach (para. 15) and this plan should seek to meet the Council's housing needs going forward to create inclusive

and cohesive communities. As the council can demonstrate a 5 year housing land supply and an intention to support specialist accommodation for the elderly, less weight is attributed to the need arguments in favour of the proposal.

9.25 The applicants consider that if the proposal is allowed, it would assist the housing market by freeing up the larger family homes currently being occupied by this ageing population. In a recent appeal (West Malling) the Inspector noted that offering specialist housing more suited to the needs of older persons is likely to encourage them to move and would make a valuable contribution to overall housing needs which should be weighed in the balance [(para. 42) West Malling: APP/H2265/W/18/3202040].

9.26 There is a general acceptance that there is a growing population of elderly people within Bracknell Forest who will require appropriate housing. The provision of C2 accommodation will help to meet an element of this need. Given developments that have recently been built, are under construction or benefit from planning permission it is considered that the need for C2 accommodation is being met. Therefore, there is not considered to be such a pressing need for the type of accommodation proposed. Any allocation of further land to meet these needs is most appropriately dealt with through the preparation of the local plan.

iii Impact upon character of area

9.27 This section of the London Road is characterised by built form set back from the road, generally behind mature landscaping. However, glimpses of developments can be obtained through the vegetation so whilst outside the defined urban areas, London Road is not considered to be completely undeveloped. Developments can be sprawling, but are generally limited in height to one or two storeys.

9.28 Swinley Road has a more rural character with informal narrow footpaths, less development and a narrower highway. There is limited development on a short length of Swinley Road consisting of two storey dwellings abutting the back of the footpath. There is a noticeable change in character between Swinley Road and London Road.

9.29 The site currently contains a detached two storey dwelling with an ancillary area of hard surfacing, including a driveway and tennis courts. The site has fallen into disrepair. To the south of the building is a large lawned area dissected by a ditch approximately 70m south of the dwelling. The lawn is surrounded by mature trees with groups of trees and vegetation in some places encroaching further into the site.

9.30 The Council's Landscape Character Assessment (LCA) analyses the character of the Borough and categorises the valued features of each character area. The application site is located within the Chavey Down Wooded Sands character area which is characterised by the presence of suburban and urban fringe developments and long views broken up by woodland. The report identified the following valued features:

- Continuous nature of woodland
- Naturalistic land cover
- Areas of natural, undeveloped character providing visual and physical separation
- Presence of ponds
- Remnant pastoral fields
- Views across small clearings
- Long straight roads
- Footpaths and areas of public access.

9.31 The application would not affect the woodland, ponds, pastoral fields, roads or footpaths. Whilst the centre of the site is open it was at one point laid to lawn and has been maintained as such, and therefore does not have a naturalistic land cover. The feature the proposal would most affect would be the visual and physical separation between settlements, and the contribution the site makes to this function. The importance of the land as a green separation between the built urban areas of Bracknell and Ascot is amplified by the Bracknell Forest Landscape Recommendations Report (CLP/Ev/5b pages 65 and 66).

9.32 The site is adjacent to the Metropolitan Green Belt, the boundary of which runs along Swinley Road. Policy EN8 supports certain development within the countryside which while clearly visible from the Green Belt would not harm or impact upon it. To support the emerging Local Plan, a joint review of the Green Belt was undertaken in association with Wokingham Borough Council. This report identified that at this point the Green Belt makes a significant contribution to the Green Belt purposes, in particular preventing the merging of Bracknell and Ascot. The Green Belt is at one its narrowest points immediately adjacent to the application site.

9.33 The proposal would result in development being spread across the majority of the open area within the site although trees would be retained on the periphery. It is considered that the retained trees would provide some visual screening to the proposal, from both Swinley Road and London Road. The proposed development, having a significant element of four storey construction, is clearly out of scale with other built form in the vicinity of the site. This is not a gateway site where a taller building might be appropriate. The site is adjacent to the Green Belt and forms part of a green gap between Bracknell and Ascot which is not a suitable location for a building that is significantly taller than any other in the locality. The building is not only tall, (maximum height over 16.7metres) but also remains bulky with the north-south elevation extending to some 95 metres in length.

9.34 The proposed development would be visible from the proposed access and egress roads, and in addition there would be glimpses of the proposal through the vegetation at various points. The proposal would result in a significant increase in the height of built form which, when viewed through the vegetation, would appear incongruous with the other forms of development within the area. This would be more prominent during the winter months when many of the trees surrounding the site have dropped their leaves. The NPPF, para. 127, seeks developments to be sympathetic to local character and history, including the surrounding built environment and landscape setting. It is not considered that due to the height and scale the proposal complies with this criterion.

9.35 The proposal, being demonstrably out of scale with its surroundings, is considered to result in harm to the area's character and appearance. On London Road this impact is considered to be marginally less due to its being more built up and urban in character but the proposal would still be significantly out of scale with development along London Road. Some other developments are visible on Swinley Road but they are more sporadic and significantly smaller in scale than the proposed building and accordingly the proposal is considered to have greater harm on the character and appearance of this highway. The proposed built form would be glimpsed from Swinley Road at the access and egress points to the site. The proposal being visible through or between the trees doesn't automatically render it harmful to the character. However the scheme would be significantly larger and taller than surrounding developments.

9.36 The proposed entrance and egress onto Swinley Road would formalise the entrance features, which would be conspicuous from the Green Belt and would have a harmful impact upon the character of Swinley Road. This coupled with the removal of the T217 (see below) would have an undesirable urbanising effect upon Swinley Road, visible from the Green Belt.

9.37 The Green Belt at this point is at its narrowest and is highlighted within the review as making a significant contribution to the aim and function of the Green Belt. Development adjacent to the Green Belt at this point would have greater impact upon the function of the Green Belt than elsewhere within the Borough.

9.38 The NPPF makes it clear, that whilst PDL should be developed ahead of greenfield land, not all of a PDL defined site should automatically be developed. The revised NPPF has also reduced the weight to be given to developing PDL outside settlements, rather it attributes significant weight to the re-development of brownfield land within settlements.

9.38 At present the site's character is derived from the green area surrounding the existing built form, with the dwelling and built form appearing modest in comparison. The proposal and associated hard surfacing would significantly change the character of the site, occupying almost all of the open space which the site currently enjoys. It would dominate the trees and vegetation around it, spreading development considerably, and thereby changing the internal character of the site.



9.40 The retention of trees around the perimeter of the site, and the location of the proposed development within the site, would reduce the prominence of the building within the streetscene. Whilst the proposal would have a significant impact within the site, the impact outside the site would be reduced to partially restricted views of the proposal through the vegetation and less restricted views at the access and egress. The access and egress points are visible from the Green Belt and would provide glimpsed views of the building within. This would introduce further urbanisation to this sensitive area, eroding the rural verdant green character of Swinley Road. The proposal would therefore be contrary to Policies EN8 of the BFBLP and CS9 of the

CSDPD. The proposal would also be contrary to the NPPF [paragraph 127 c)]. This requires developments to be... sympathetic to local character and history, including the surrounding built environment and landscape setting. The harm the proposal would cause to the character of the area is considered to have significant weight against the proposal.

iv Trees

9.41 The site is covered by Tree Preservation Order (TPO) 282 and therefore the loss of any tree within the group should be carefully considered against any benefits the proposal might bring.

9.42 Policy EN1 of the BFBLP seeks to protect trees and hedgerows which are important to the retention, where applicable, of:

- (i) A clear distinction between built up areas and the countryside
- (ii) The character and appearance of the landscape or townscape
- (iii) Green links between open spaces and wildlife heritage sites
- (iv) Internationally, nationally or locally rare or threatened species
- (v) Habitats for local wildlife
- (vi) Areas of historic significance.

9.43 The application has been supported by an arboricultural report and survey which has identified 240 individual trees, 7 groups and 4 hedges. The proposal would remove 64 individual trees, 2 groups of trees and a hedge. One group is to be partially removed.

9.44 The report considered that the removal of the trees from the site will not be particularly noticeable from the outside of the site as the retained trees will form an effective screen and as such the proposal will not have a negative effect upon the character or appearance of the area.

9.45 The most significant of the trees to be removed consist of:

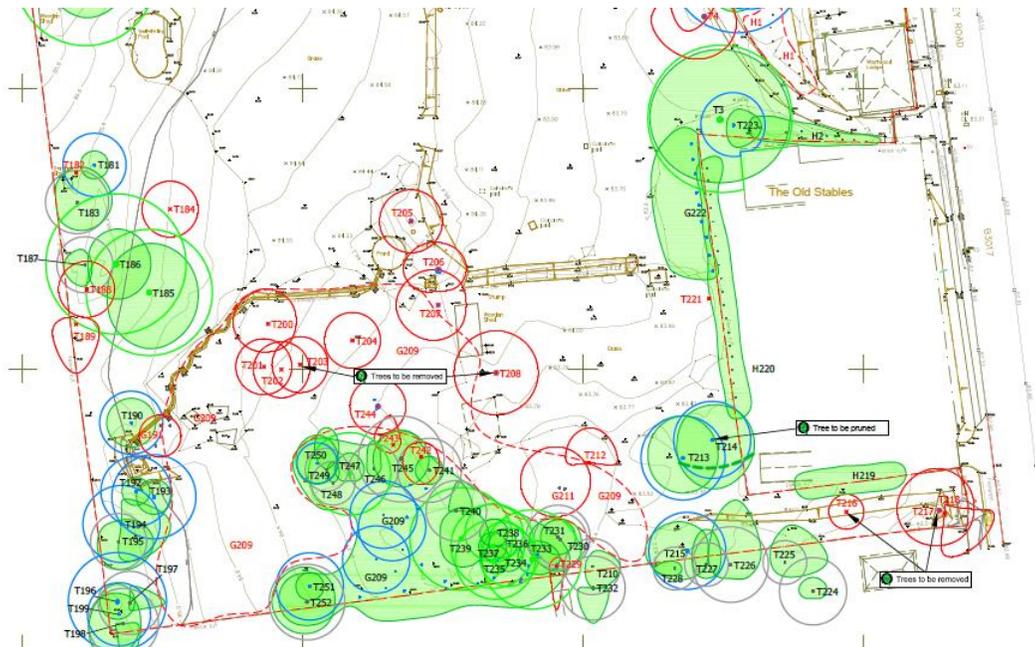
- T205- Western Hemlock (22m tall)
- T206 – Sweet chestnut (21m tall) Possibly a veteran tree though there is disagreement over the relevant criteria
- T207- English Oak (17m)
- T208 – English Oak (21m)
- T217 (beech) at the access point

9.46 The proposal would affect the following trees which would require mitigation:

- T3 and T12 the proposed egress route
- Protective fencing to T30.

9.47 The application proposes the removal of T217 (beech) located at the proposed entrance of the site to facilitate the access road. This tree is a prominent and visible feature within the Swinley Road streetscene. It contributes significantly to the general rural feel of Swinley Road with branches overhanging the highway, contributing to the sense of enclosure. The loss of this tree would have a noticeable detrimental impact upon the character and appearance of Swinley Road.

9.48 The applicants recognise that the loss of T217 would open up views into the site and have sought to retain more trees within the site to maintain a green visual end stop when looking from Swinley Road into the site. Whilst this is noted and welcomed it is still considered that the loss of T217 would have a noticeable detrimental and negative effect upon the rural character of the streetscene. As a consequence the loss of T217 is attributed substantial weight.



Extract from Tree Works Plan showing trees within the southern half of the site to be removed.

9.49 T206, a Sweet Chestnut, is described within the Arboricultural report as a semi-mature tree with a height of 21m and categorised as a B tree. The tree survey notes heartwood decay throughout the tree, that it is not visible from outside the site and therefore it has no public visual amenity value, as such it is not worthy of retention. However internal decay is a characteristic of a veteran tree and the report acknowledges that the tree 'does have some features commonly seen in older mature trees'.

9.50 The Council's Tree Officer has questioned whether or not T206 should be afforded veteran status due to the report's acknowledging that this tree demonstrates some veteran qualities.

9.51 Veteran trees are protected within the NPPF which states that they should not be lost 'unless there are wholly exceptional reasons' (para. 175 NPPF). Veteran trees are important for their ecologic contribution, their status as trees and historic values.

9.52 The applicant's report does not consider that the tree should be afforded veteran status 'because of the tree's poor physiological and structural condition rather than being signs of great age'. The report also comments on the tree's girth not being wide enough to indicate a great age.

9.53 The ancient tree forum defines a veteran tree as being a tree of any age but which shows ancient characteristics such as:

- Low fat and squat shape
- Wide trunk in comparison with others of same species.
- Hollowing of trunk

9.54 The damage to the tree probably arose from landscape works within the Root Protection Area (RPA) (there is evidence of a pond and a ditch nearby) and this has resulted in the features currently found in trees of greater age.

9.55 It is accepted that the tree in question is not of significant age or merit, however it is starting to decline, providing a different unique habitat as it does. What importance the tree has will therefore be connected to its ecological value. The tree was not mentioned within the bio-diversity surveys. The bio-diversity officer considered that, providing the tree was retained within the site after felling, the ecological value could be retained within the site. Therefore the ecological reason for the tree's retention falls away. It is considered that whilst the tree is displaying some veteran qualities, it is a borderline case. Given time, the tree would mature further possibly developing more significant veteran qualities. At present it is not considered that these qualities are sufficiently developed to justify a veteran listing.

9.56 The remaining trees proposed to be lost, are located within the centre of the site. The report has justified the loss of these trees, due to their not being of public interest. It is acknowledged that due to the trees being retained around the site the trees within the centre have a limited effect upon the character of the public realm. As such only limited weight can be attributed to their loss.

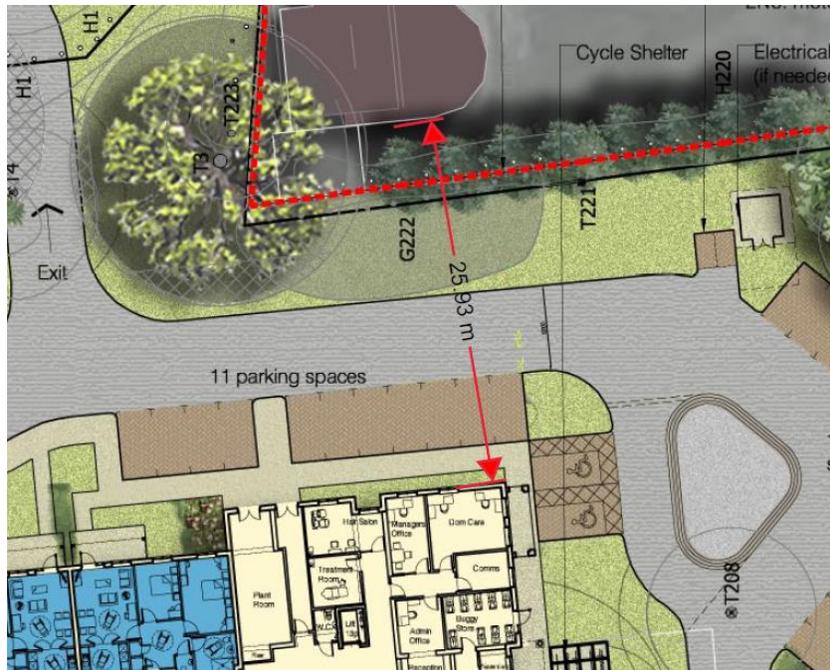
9.57 Further information has been received regarding how the access and egress roads can be constructed to avoid harming the protected trees they would pass close too. These details are generally considered acceptable. However, concern still remains regarding the proposed crown lift to T12 which the applicants considered will be sufficient at 3.5m but the Tree Service considers a more realistic crown lift of 5m will be required.

9.58 The Tree Service now accepts the details provided in the recently submitted documentation and plans to retain and protect the majority of trees on this site, however due to the removal of protected trees within the site the proposal will result in conflict with Policy EN1 of the BFBLP.

v Residential Amenity

9.59 The nearest and only property to be affected by the proposal is known as The Stables and occupies a portion of land between the two proposed access points. This is a two storey detached dwelling located against the northern access point with its amenity space to the south and is separated from the application site by a tall row of conifer trees and a fence.

9.60 The proposed building would be located 25.9m from the side elevation of The Stables. The design SPD provides guidance on what distances are considered acceptable to protect the privacy and amenities of adjoining dwellings. This considers *'In considering siting relationships between blocks of flats a minimum distance between facing habitable windows of 22m will be sought to avoid unacceptable levels of overlooking.'* At a distance in excess of 25m, the proposal is considered to be an acceptable distance from The Stables that does not result in unacceptable levels of overlooking. Notwithstanding this, the applicants have amended the design and introduced obscure screens to the balcony ends closest to The Stables to reduce the potential for overlooking from the external balconies.



9.61 The occupiers of The Stables have requested a 2.5m acoustic fence to the shared boundary with the proposal. It is considered that, given the proximity to the proposed vehicle entrance and exit points to the boundary, this request is justified to protect the occupiers from vehicle noise. The applicants have agreed to this and the relevant details are shown on the plan. They can be secured with a condition.

9.62 At the request of the occupiers of 'The Stables' the applicant has moved areas of car parking away from the boundary, to reduce the possibility of any noise and disturbance from closing doors and engines. The applicants have not moved proposed motorcycle parking or an electrical sub-station from adjacent to the boundary as requested by the residents of The Stables. However, any disturbance caused by these two elements is not considered to be so significant as to warrant a refusal of planning permission.

9.63 Subject to relevant conditions ensuring that the acoustic fence is installed and retained and that the obscure glazing screens are also retained it is considered that the proposal complies with Policy EN20 (g) of the BFBLP.

vi Transport Implications

9.64 The NPPF supports sustainable transport and seeks that significant developments should be focused in locations which are or can be made sustainable (para. 103). Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety (NPPF Para. 109).

9.65 The proposed site will be accessed and egressed at separate points. The access uses an existing access to the site located in close proximity to the access to 1 to 7 Lavender Park and Lavender Farm House and adjacent to an access to a substation. The egress uses the existing access to Westwood Lodge. As the egress is situated away from accesses to other properties it is in principle acceptable. The visibility splays proposed at the egress have been calculated on observed speeds and are acceptable. The submitted drawings show that the access and egress will be signed; however there is a concern that due to the car park layout a

driver may be inclined to egress via the access as this could be a shorter route. A site visit showed that visibility splays in the leading direction may not be achievable and vehicles exiting via the access will result in a conflict of turning movements occurring. Therefore a physical form of barrier which allows access but prevents egress will be required, the details of which can be secured by a condition.

Car Parking

9.66 The Parking Standards SPD, March 2016, for a C2 Sheltered Accommodation use with on-site staff, requires 1 space per member of staff, 1 space per 1.5 units for residents and 1 space per 4 units for visitors, this application therefore requires 66 spaces. The proposals show 64 parking spaces (including 4 disabled), 2 motorcycle bays and a minibus parking bay. The minibus will be used to transport residents to nearby facilities and services. Given the nature of the proposals and age of the residents who will be elderly, car ownership rates are likely to be lower. This shortfall of two spaces is therefore unlikely to result in on street parking on the neighbouring highway. Therefore, the parking provision is considered acceptable.

Trips

9.67 The applicant has undertaken a first principle approach to calculating the likely trip generation from the proposed development, by surveying one of the applicant's similar sites at Keble Court, Church Crookham, Hampshire. While the site has similar characteristics an examination of the applicant's web site shows that only 60% of the units are sold. Therefore, to take this into account the trip rates have been increased within Table 1 of the October 2018 Technical Note by a factor of 1.6 to account for the position that the site was not fully occupied when the survey was undertaken.

9.68 The amended trip analysis indicates an additional 6 vehicle movements in the AM peak period and 9 vehicle movements in the PM peak period. Neither of these figures is a material increase and both are considered to be within the daily fluctuations one would expect to see on the neighbouring highway network.

9.69 Analysis of the Swinley Road / London Road signalised junction within the Technical note shows that this junction suffers from congestion at peak times and queues form off-peak as well especially on the southern arm due to the one lane approach. Any increase in vehicular movements along this southern arm will exacerbate these issues.

9.70 The Highway Authority has proposals to widen the Swinley Road approach to ease congestion at this junction, but this will require dedication of land around the junction within the applicant's site. The Highway Authority would seek dedication of land around the junction tied with any permission granted as part of a Section 106 agreement.

9.71 It is acknowledged that the Swinley Road / London Road junction operates at capacity and requires improvements. At present the Highway Authority cannot implement a scheme due to the land ownership constraints. However, the Council's own highway consultant acknowledges that vehicle movements arising from this development are not material and are within daily fluctuations expected within a network. In addition the land required to widen the carriageway along Swinley Road and at the junction contains a number of protected trees. These include trees which make a significant contribution to the character of both London Road and Swinley Road. Their loss would open up views into the site, increasing the visibility of trees within the site and the proposed development.

9.72 The designation of the highway land is therefore not required to make the development acceptable in highway terms and therefore it does not comply with Regulation 122 of the CIL Regulations which states:

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

9.73 The applicants have indicated their willingness to agree to the dedication, and have included it in a draft Heads of Terms submitted to inform the drafting of any required S106 agreement. It is acknowledged that this designation of part of the site to highway land is desirable to enable the highway authority to plan for future development within the Borough. However, the impact of this proposal on the highway network is not significant enough to warrant the refusal of the application on highway safety grounds and therefore this proposal does not justify an obligation to secure the dedication of this land.

9.74 Subject to the conditions recommended by the highway authority the proposal is considered to comply with Policies CS23 of the CSDPD, M4 and M9 of the BFBLP.

vii Sustainability (Distance to services)

9.75 The NPPF seeks to focus development in locations which are, or can be made, sustainable. One factor of sustainability is the ease of access to services and facilities via a variety of transport means, with walking and cycling routes given priority.

9.76 London Road is a bus route (no. 702 providing an hourly service), connecting Ascot and Bracknell and a designated cycle route. There is a station on the Reading-Waterloo line located at Martins Heron, located 1.2km away from the proposal.

9.77 The closest shops are at Warren Row, Ascot located approx. 900m to the north in a straight line. The Local centres at Fernbank Road and Martins Heron are located 1.3km and 1.2km away respectively.

9.78 According to guidance, the development is within acceptable walking distances (2km) of facilities and services, including Tesco (Martin's Heron) and Martin's Heron railway station. Also, Bracknell and Ascot town centres are within a 5km cycle distance which is in line with guidance.

9.79 Whilst it would be possible to walk to shops and get to and from the site by bus and potentially train, how realistic this would be given the targeted occupants is questionable. Whilst the site would not be completely unsustainable, it is not located on a site where residents would have the option to pop out for a newspaper or become part of the community outside the complex. There would still be a strong desire to use the private car or mini-bus to access nearby facilities. Accordingly the location of the site, having regard to future occupants being able to access services is attributed moderate negative weight.

viii Drainage

9.80 Following the submission of revised drainage details it is considered that the proposal complies with BFBC policy. Calculations have been submitted showing that the soakaways have sufficient capacity to accommodate 1 in 100 year plus 40% storm events with no surcharging.

9.81 A pumping station is proposed on the access road and justification for this has been provided given the access road is the lowest point of the site. If a gravity connection was provided to the soakaway systems to the north of the site, it would result in the soakaway structures being significantly deeper and potentially close to groundwater levels. As there are no other disposal routes for this portion of the site then this short length will be pumped to the main surface water drainage network. While in principle this is acceptable, the details do state that the capacity of the soakaway will be dependent on detailed design once the catchment area is completely fixed. Therefore, a pre-commencement condition for drainage design is recommended to any permission if the application is approved.

9.82 The applicant's drainage consultant has confirmed that, given the infiltration soakage tests undertaken for the preliminary design, the ground is suitable for soakaways apart from the northern area of the site and an attenuation tank system is not proposed. However, they have confirmed that some of the infiltration tests were undertaken for 2 rather than the 3 cycles as required within BRE Digest 365. While it is unlikely there will be a material change to the results, the submission of a final detailed design with full infiltration test results should be the subject of a pre-commencement condition.

9.83 It has been confirmed that the permeable paving will be part of the tanked soakaway system with the runoff draining into porous pipes and not into the ground in the locations where the infiltration tests showed that the ground conditions would not be suitable for soakaways. This is acceptable.

9.84 Therefore, subject to conditions, no objections to the proposals are raised from a drainage perspective.

ix Sustainability (resources)

9.85 Since the Government's Ministerial statement of the 26th March 2015 for residential development CSDPD Policy CS10 is only taken to require the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. An adequate Sustainability Statement has not as yet been received therefore a condition is recommended to be imposed in order to secure this.

9.86 Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. No Energy Demand Assessment has been submitted therefore again a condition is recommended to be imposed to secure this.

x Thames Basin Heaths SPA

9.87 In the light of the "Sweetman Judgement" (People Over Wind and Sweetman v Coillte Teoranta, April 2018) the comments below comprise an Appropriate Assessment which is consistent with the advice provided to PINS on such matters.

9.88 This response is based on the following information provided by the applicant:

- The scheme will comprise 15 x 1 beds and 58 x 2 beds apartments, allowing choices of space for couples and/or individuals or friends/siblings – who wish to live in a place that is adaptable to deal with their health needs and gives access to 24/7 care and support.
- However, taking into account of the number of residents who will be immobile, the number of dwellings is reduced to 60 x 1 bed dwellings less an existing dwelling.

- A summary of six other sites that Anchor has developed and now operate across the county, provides evidence of how mobile residents are and average occupancy levels of the assisted living units.

9.89 It is understood that one 5+ bed dwelling is to be demolished as part of the proposal.

Summary of Response

9.90 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m – 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has therefore been carried out including mitigation requirements.

9.91 This site is located approximately 2.9km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.92 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.93 In this instance, the development would result in an equivalent net increase of 60 x 1 beds replacing one 5+ bed dwelling which results in a total SANG contribution of £256,294

9.94 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £22,888.

9.95 The total SPA related financial contribution for this proposal is £279,182. The applicant must agree to enter into a S106 agreement to secure the SANG and SAMM contributions and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD and the NPPF.

xi Securing necessary infrastructure

9.96 CSDPD Policy CS6 states that development is expected to contribute to the delivery of:-

- (a) infrastructure needed to support growth and;
- (b) infrastructure needed to mitigate impacts upon communities, transport and the environment.

9.97 Guidance in the Planning Obligations SPD, which came into effect (with CIL) on 6 April 2015, is relevant.

9.98 CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.99 CIL receipts could be spent on infrastructure projects or types of infrastructure identified in the Council's Regulation 123 list of infrastructure that it intends will be wholly or partly funded by CIL. These comprise:-

- Provision and enhancement of land to Suitable alternative Natural Greenspace (SANG) standard (part of Special Protection Area (SPA) Avoidance and Mitigation measures)
- specified Local Road Network capacity improvements
- strategic road network improvement outside the borough
- specified footpath and cycleway improvements
- bus service subsidies
- specified educational projects
- libraries
- built sports facilities

9.100 CIL receipts could be spent on items not listed on the Regulation 123 list that meet the government criteria on CIL spending.

9.101 In accordance with Policy CS6 of the CSDPD and Planning Obligations SPD the following additional measures to mitigate the proposal would be sought and secured through an appropriate legal agreement.

9.102 Travel Plans –A section 106 obligation will be required to ensure a final travel plan is approved prior to occupation and to secure the contribution of a travel plan fee of £3000 to cover the review and monitoring of the Travel Plan and a Travel Plan deposit of £5,000 returnable if the conditions of the Travel Plan are met.

9.103 Biodiversity – The Council in line with the NPPF seeks to ensure any new development brings net gains to biodiversity. It will therefore seek a £20,000 contribution towards biodiversity enhancements to serve the site at Wentworth Way /Ascot Priory Woodland as identified on page 155 of the POSS for Bracknell Forest.

9.104 Subject to securing the contributions above, it is not considered that the proposal would have detrimental negative impact upon surrounding facilities.

xii Pollution

9.105 As part of this site is within the 250m buffer zone of a landfill site, conditions are recommended to ensure that there has been no transfer of contaminants within the soil to protect the health of future residents. This is considered to be in accordance with Policy EN25 of the BFBLP.

xiii ECOLOGY

9.106 The application site comprises a house, lodge, associated outbuildings and gardens (with trees and ponds). The site is surrounded by habitat of good wildlife value – it is

neighbouring by woodland in all directions, with a golf course 70m east, large grassland areas 60m east and 170m northeast, and Englemere Pond Nature Reserve 500m southeast. The ecological implications of the proposals are discussed below.

Bats

Buildings

9.107 The ecological appraisal (Clarke Webb Ecology Limited, 'Ecological Appraisal', Rev 2) confirms that a number of bat surveys have been undertaken between 2011-2017.. The main house has hosted up to 5 species of roosting bats over this period, with the more recent surveys finding brown long-eat, soprano and common pipistrelle bats. The stables were also found to be hosting roosting bats in 2017.

9.108 It is therefore very likely that the proposed works will disturb or harm roosting bats. As such, a licence for development works affecting bats will need to be obtained from Natural England, for derogation from the provisions of the Habitat Regulations, before works which could impact upon the roost can commence – this can be conditioned (wording provided below). The report provides a mitigation plan to ensure that bats are not harmed and that replacement roosting sites are provided and that the favourable conservation status of bats will be maintained.

Trees

9.109 Numerous trees are scheduled for removal as part of the development. The ecology report concludes that some of these trees have bat roosting potential. However, no evidence of bats roosting within the trees was observed. Section 4.15 of the report recommends that the trees should be further surveyed prior to removal and checked following removal before being chipped. This can be ensured through the provision of a Construction Environment Management Plan (CEMP), which should be conditioned.

Foraging and commuting bats

9.110 The report recommends that any external lighting should be “directed away from likely bat foraging/commuting routes”, i.e. the woodland edge. As such, the provision of a wildlife-sensitive lighting scheme should be subject to a planning condition.

Great crested newts

9.111 There are records of great crested newts (GCN) within ponds offsite (100m west and 80m east), and 1 GCN was recorded in Pond 1 in 2011, with GCN eDNA also recorded here in 2016. No newts were observed onsite during the 2017 surveys. Assuming that Pond 1 and the nearby ponds may still be used by GCN, and considering the suitability of some terrestrial habitats onsite for use by GCN (woodland edge, shrubbery, piles or rubble/timber etc), the proposed works may adversely affect GCN. The report provides an outline mitigation plan to ensure that GCN will not be harmed, and if it is implemented the favourable conservation status of GCN will be maintained.

9.112 As such, and as per the report's recommendations, a licence for development works affecting GCN will need to be obtained from Natural England, for derogation from the provisions of the Habitat Regulations, before works which could affect GCN commencing – this can be conditioned.

Badgers

9.113 Two outlying badger setts were identified within the redline boundary. The report notes that no other signs of badgers were found, besides “occasional poorly defined tracks through denser shrubbery”.

9.114 The setts will not be lost as a result of the development. However, the setts are located within 20m of the development area where new hardstanding, courtyards and a small refuse building will be constructed.

9.115 Since 1) badgers can open up new setts overnight, 2) there is a risk that the setts (if occupied at the time that works start) could be disturbed/damaged by groundworks nearby it is recommended that an updated badger survey is undertaken prior to commencement of works. This should be secured via a planning condition.

Reptiles

9.116 The reptile surveys have been undertaken to an appropriate standard, and the report concludes that since no reptiles were found on site, the proposals are unlikely to directly adversely affect any reptile species. However, because slow worm and common lizard have been recorded at a neighbouring site, it is suggested in Section 4.20 that some precautionary measures are to be adopted. These measures – to include grass maintenance and careful removal of any piles of debris – would be sufficient to ensure that the risk of the works affecting reptiles remains minimal. This will need to be addressed in a CEMP which should be secured via a planning condition.

Other protected wildlife

9.117 The proposals are considered unlikely to adversely affect any protected habitats.

9.118 Nesting birds were observed onsite. To ensure that nesting birds are not harmed during vegetation and building clearance, such works should be undertaken outside of the bird nesting season or, if that is not practical, all areas to be cleared should be checked immediately prior by a suitability qualified ecologist. This measure should be detailed within the CEMP.

9.119 In line with the NPPF, the development should incorporate opportunities for wildlife such as bird and bat boxes, reptile refugia and wildlife-friendly landscaping. The provision of biodiversity enhancements should be secured via a planning condition.

9.120 As such, subject to the conditions below, the proposals would be in accordance with ecology related planning policy.

10. CONCLUSIONS

10.1 A recent Secretary of State decision has indicated that where policies do not accord with the NPPF, then they are considered as being out of date and it falls for the application to be considered in relation to the presumption in favour of sustainable development as set in SALP Policy CP1 (and para. 8 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development set out in the NPPF (economic, social, and environmental). Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

An Economic Role:

10.2 The proposal would provide additional specialist residential units which would contribute to the five year housing land supply. As the Council can demonstrate a five year housing land supply, it is considered that this is a consideration which carries moderate weight in favor of the proposal.

10.3 The application would also have other economic benefits including supporting the local economy through the creation of construction jobs and employment opportunities once the home is up and running, and the future residents spending at local shops etc. Given Bracknell's strong economy, it is considered that these benefits carry limited weight. This view has been endorsed by Inspectors in other appeals within the Borough (Locks Ride and Tilehurst Lane).

A Social Role

10.4 The NPPF definition of the social strand of sustainable development includes providing a supply of houses which meets the needs of present and future generations, and creating a high quality built environment 'with accessible local services that reflect the communities needs and support its health, social and cultural well being' (para 8).

10.5 Chapter 8 of the NPPF seeks to facilitate social interactions by providing opportunities for meetings between members of the community who might not otherwise come into contact with each other (paragraph 91). The location of the proposal results in the development not adjoining any existing community and being physically separated from the settlements of Bracknell and Ascot. Whilst it is envisaged that the proposal would create a community of its own, promoting and supporting social interactions between residents, the location means that interactions with the wider community would be limited. The proposal would have benefits for the residents in terms of supporting independent living longer which is shown to have health benefits.

10.6 Bracknell Forest can presently demonstrate a 5year supply of housing land. Accordingly policies relating to housing land supply are considered to be in date. The applicants have argued that the proposal would meet a demonstrable need for specialist elderly persons care within the Borough. The Council accepts that the population of Bracknell Forest is ageing, and like the rest of the country, there will be a need to provide housing to meet this need. However, developments to meet this need are being brought forward either as windfall sites or within larger allocations and at present the Council is on track to meet its C2 requirement. However, the Council recognises that there is a slight under supply of C3 (assisted living) properties. Therefore moderate positive weight is attributed to the contribution this application would make to the specialist housing need.

10.7 As the proposal does not provide any affordable housing there is no benefit from the development in this regard.

10.8 The last element of the social role discusses accessibility to services that reflect the community's need. The site is located with vehicle access from Swinley Road, and a pedestrian access to London Road. Swinley Road has a narrow overgrown footpath along its length, which would not encourage journeys on foot. London Road benefits from a footway/cycle way and is lit.

10.9 The nearest doctors surgery is 1.3km, local shops 900m, and station 1.2km away, a reasonable walk. It is considered that for the majority of trips to access services and facilities people with access to a car would be inclined to drive or use the onsite minibus.

10.10 There is a bus route along London Road with the most frequent route providing an hourly service). The poor access to public transport limits travel mode choice and is contrary to point c) of para. 102 and para. 103 of the NPPF.

10.11 It is therefore considered that opportunities for travel other than the private car are limited. The proposal is considered to conflict with Policies CS1, CS2 and CS23 of the CSDPD and therefore carries moderate weight against the application.

10.12 Overall the social benefits brought by the proposal are outweighed by the negative impacts and therefore the social impacts of the proposal are considered to be neutral.

An Environmental Role

10.13 The applicant considers that the proposal would have a limited impact on the character and appearance of the countryside due to the screening afforded by the retained vegetation around the site. However it is apparent that the proposal would be visible through the vehicular entrance and egress points, where the vegetation is slightly thinner, or during those months when trees are not in leaf. Significant trees which contribute to the character of Swinley Road would be lost as well as trees within the site, all of which are protected.

10.14 Whilst the site is partially PDL, the height of the proposed development which includes a large four storey element is clearly out of scale with its surroundings. The scale and spread of the proposal does not relate acceptably to the character and appearance of the area. When viewed from the surrounding area the proposal would form an incongruous development not comprising the good design required by Chapter 12 of the NPPF and not in accordance with CSDPD Policy CS7 or BFBLP Policy EN20.

10.15 Policy EN8 seeks to protect the countryside for its own sake only permitting development in certain circumstances and only where it would not adversely affect the character, appearance or function of the land, and, where conspicuous from the Green Belt would not injure the visual amenities of the Green Belt. Since the proposal does not meet any of the exceptions, the proposal is directly contrary to this policy.

10.16 Policy EN8 is not considered to be wholly consistent with the NPPF which instead of protecting the countryside for its own sake, seeks to 'recognise the intrinsic character and beauty of the countryside' (para. 170). It therefore falls for any benefits of the proposal to be weighed against the character, appearance and function of the land.

10.17 The proposal, due to the spread of development and its mass and height, is considered to significantly change the character of the site. It also results in the loss of several mature trees which contribute to the setting. This is considered to be a significant negative impact.

10.18 From London Road and Swinley Road the impact upon the character is less marked. Restricted views of the proposal would be available through the retained vegetation. On Swinley Road the loss of T217 would have a significant detrimental impact, creating a gap in the solid line of vegetation which encloses the highway and makes a positive contribution to the character. This is considered to have significant negative weight.

10.19 The site also forms an important function in separating the built forms of Bracknell and Ascot and protecting the edge of the Green Belt which has been demonstrated as being at its narrowest and therefore most threatened by development in this area. Whilst located outside the Green Belt, the site would be visible from the Green Belt.

10.20 Accordingly the proposal is considered to have substantial negative environmental impacts.

Balancing considerations

10.21 The NPPF is a material consideration.

10.22 It is acknowledged that the scheme brings benefits in terms of partially meeting a specific housing need and the health and well-being benefits residents may be derived from the type of accommodation envisaged. Whilst acknowledging an ageing population, the need for housing and specifically C2 accommodation is not considered to be pressing and therefore these aspects are accorded moderate weight.

10.23 The proposal is not considered to be in a wholly sustainable location and is divorced from settlement boundaries with a limited bus service. This will discourage trips other than by private car, and residents from interacting with the wider community. This is afforded moderate negative weight.

10.24 Overall it is considered that the proposal would result in significant harm to the character and appearance of the site and, whilst more limited, would still have a substantial impact to character of Swinley Road. This is considered not to be outweighed by the need for either housing or specialist housing for the elderly whether falling within use Class C2 or C3. Accordingly the proposal is considered to be contrary to Policies CS9 of the CSDPD, Policies EN1 and EN8 of the BFBLP.

11. RECOMMENDATION: REFUSE for the following reason(s):

01. The proposal would result in a large development, of increased height, scale and mass of built form than currently on the site, and out of scale with other development in the area. The proposal would require the removal of a number of protected trees. Accordingly the proposal would result in an incongruous development, harmful to the character and appearance of the area and the site. The proposal is therefore contrary to Policies CS7 and CS9 of the CSDPD, EN1, EN8 and EN20 of the BFBLP and to the NPPF.
02. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).
03. In the absence of a planning obligation to secure a travel plan and contribution towards off site bio-diversity improvements in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy CS6 of the Core Strategy Development Plan Document and the Planning Obligations SPD (2016).

Informative(s)

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

02. Plans and documents considered by this application:
Plans considered:
4694 (LP01) - Site Location Plan
4694 PL03 (H) - Proposed Site Plan
4694 PL05 (B) - Ground Floor Plan
4694 PL06 (B) - First Floor Plan
4694 PL07 (B) - Second Floor Plan
4694 PL08 (B) - Third Floor Plan
4694 PL09 (C) - Roof Plan
4694 PL10 (D) - Proposed Elevation 01
4694 PL11 (C) - Proposed Elevations 02, 03
4694 PL12 (D) - Proposed Elevations 04
4694 PL13 (C) - Proposed Elevations 05, 06, 07
4694 PL14 (A) - Contextual Elevation Section
AR-3702bo TWP app E.6 – Tree Works Plan

Documents considered:
Clarke Web Ecology Limited 'Ecological Appraisal' Rev 2
Quaife Woodlands AR-3702 bo Rev. D – Arboricultural Survey and Planning Investigation Statement
Flood Risk Assessment and Drainage Strategy
Drainage Calculations and Information received 07.06.18

03. Reasons for refusal 2 and 3 could be overcome with an appropriately worded legal agreement.

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ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
18/01059/FUL	Central Sandhurst	29 October 2018	24 December 2018
Site Address:	12 Greenways Sandhurst Berkshire GU47 8PJ		
Proposal:	Erection of single storey front, side and rear extensions and alterations to materials.		
Applicant:	Mr Andrew May		
Agent:	Raymond Holden		
Case Officer:	Olivia Jones, 01344 352000 development.control@bracknell-forest.gov.uk		

Site Location Plan (for identification purposes only, not to scale)



1. SUMMARY

- 1.1 The proposal is for the erection of front, side and rear extensions and the use of white render.
- 1.2 The proposed development would be acceptable in principle and would not result in an adverse impact on the character and appearance of the host dwelling or the surrounding area. The development would not result in a negative impact on the residential amenity of the neighbouring occupiers, or on highway safety.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 Following the receipt of 5 objections, the application was called to the Planning Committee by Councillor Brossard due to concern over the use of render and its impact on the character of the area.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

Area of Special Housing Character

Character Area

- 3.1 12 Greenways is a bungalow constructed of terracotta coloured bricks and brown interlocking roof tiles. The roof is hipped, and the window frames are white. The property is set back from the highway and benefits from a driveway and grassed front garden. A low level wall runs along the front boundary with hedging on either side. The surrounding area is residential.

4. RELEVANT SITE HISTORY

- 4.1 The relevant planning history can be summarised as follows:

384

Residential development

Approved 01.01.1949

2203

Outline For lay-out of estate

Approved 12.02.1954

2404

Application for proposed 21 houses

Approved 14.06.1954

2814

Res/Dev

Approved 17.02.1955

5. THE PROPOSAL

- 5.1 The proposed development would be in line with the front elevation, would extend past the existing side elevation by approximately 1.19 metres and would extend past the rear elevation by approximately 4.6 metres. The development would not exceed the height of the existing dwelling.
- 5.2 The proposed development would include the use of roof tiles matching those on the existing dwelling, and off-white render, details of which will be required by planning condition.
- 5.3 It is proposed to extend the existing driveway. This driveway would be of permeable construction and comprises permitted development, not requiring planning permission.
- 5.4 There have been considerable revisions to the scheme since its submission, with the original proposal including the increase in ridge height to provide first floor accommodation.



6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

- 6.1 Sandhurst Town Council raised no objection to the revised scheme.

Other Representations

- 6.2 5 objections have been received from neighbouring properties raising the following concerns:
- The development would appear out of keeping
 - The loss of a bungalow
 - The distance to the side of no. 10 may result in stability concerns
 - The loss of light to the side windows of no.10
 - The proposed materials would be out of keeping

[Officer Note: Both issues (i) and (ii) were raised when the proposal was for a two storey dwelling. Since the receipt of these objections, the design of the extensions has been substantially altered and the dwelling would now remain as a bungalow. Regarding issue

(iii) the impact on the stability and structure of 10 Greenways is not a material planning consideration and would be considered under separate regulations/legislation.]

7. SUMMARY OF CONSULTATION RESPONSES

7.1 No statutory or non-statutory consultations have been required.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and associated policies are:

	Development Plan	NPPF
General policies	CS1 and CS2 of the CSDPD	Consistent
Design	CS7 of the CSDPD,	Consistent
Amenity	'Saved' policy EN20 of the BFBLP	Consistent
Highways	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent - Para. 105 refers to LPAs setting their own parking standards for residential development
Trees	'Saved' policy EN1 of the BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 Design Supplementary Planning Document (2017)		
Other publications		
National Planning Policy Framework (NPPF) (2019)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Impact on Residential Amenity
- iv. Transport and Highways Considerations
- v. Impact on Trees

i. Principle of Development

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Polices Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with SALP Policy CP1, CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, highway safety, etc. These matters are assessed below.

ii. Impact on Character and Appearance of Surrounding Area

9.3 The proposed development would result in the addition of a second bay window mirroring the bay window currently located on the property. The proposed side extension would be set back from the front elevation and would appear subservient and not prominent within the streetscene. The roof extension would keep the pitch and hipped

architectural approach, with the predominant building materials being red/orange brick and clay tiles. Further, the SPD recommends that a similar material palette is used for extensions. It is considered that the design of the extension would conform to the architecture of the area, and the roof tiles would be similar to those found within Greenways. Whilst it is acknowledged that the proposed render would not conform the predominant material palette, the Character Area Assessments SPD is guidance only and given the examples of white render in the surrounding area it is not considered that the proposed would warrant refusal.

iii. Impact on Residential Amenity

9.6 The proposed development would be single storey in nature, and therefore would not result in adverse overlooking to the neighbouring properties over and above the existing situation.

9.7 Given the single storey nature and the modest depth of the extension past the rear elevations of the neighbouring properties, the proposed development would not appear unduly overbearing.

9.8 The windows of 10 Greenways which would be affected by the proposed development serve bathrooms and a kitchen. The bathrooms are not classed as habitable and therefore the loss of light to these rooms would not be a reason for refusal. The applicant submitted a Daylight and Sunlight Assessment with the original (two storey) design. This found that the two storey development would have a relatively low impact on the light received by 10 Greenways. Since then, the reduction in size of the extension means that the impact on 10 Greenways has been reduced.

9.9 Due to the separation distance to 14 Greenways, and the locations of the habitable rooms a loss of light assessment found no significant adverse loss of light or overshadowing impact to the occupants of this property.

iv. Transport and Highways Considerations

9.10 This property takes access off an adopted residential road which is subject to a 20mph speed limit. There are no parking restrictions, and very little on-street parking occurs.

9.11 This 2-bedroom property has 2 driveway spaces which means that it complies with the parking standards for a two bed dwelling. It is proposed to extend the property to a 3-bed dwelling has the same requirement (for 2 parking spaces) as a 2 bed dwelling and thus the proposal complies with the parking standards. Therefore, whilst an extended driveway is proposed, it would not be reasonable to secure additional parking spaces by condition.

9.12 The property also has a garage, the size of which is unlikely to comply with current standards. The garage was not secured for parking by condition and therefore it is not reasonable to require an additional off-street parking space to mitigate its loss.

9.13 Access to the rear would be retained which would enable secure storage of bins and bicycles.

v. Impact on Trees

9.14 The trees located within the rear garden provide an important contribution to the verdant character of the area, and therefore safeguarding measures would be required by condition during construction to ensure that they are not damaged.

10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the host dwelling or surrounding area. The development would not result in a negative impact on the residential amenity of the neighbouring properties, highway safety or trees. It is therefore considered that the proposed development complies with 'Saved' policies M9, EN1 and EN20 of the BFBLP, Policies CS1, CS2, CS7 and CS23 of the CSDPD and the NPPF.

11. RECOMMENDATION

11.1 The application is recommended to be APPROVED subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details, received 29th January 2019 by the Local Planning Authority:
OS Plan and Proposed Site Plan – Drawing Number: GA001 A
Proposed Site Plan – Drawing Number: GA004 C
Proposed Ground Floor Plan – Drawing Number: GA005 B
Proposed Roof Plan – Drawing Number: 007 C
Proposed Elevations – Drawing Number: GA015 D
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. No works shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works to the development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
4. The tree/ vegetation protection measures shown on the approved site plan shall be erected in accordance with BS 5837:2012 (or any subsequent revision) Section 6 prior to the commencement of development, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright until the completion of all building operations on the site. No activity of any description must occur at any time within these areas including but not restricted to the following: -
 - a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.

- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

Informatives:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 1. Commencement
 2. Approved Plans
 4. Trees

The applicant is advised that the following conditions require discharging prior to commencement of development:

3. Materials
3. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
4. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
18/01203/3	Priestwood And Garth	10 December 2018	4 February 2019
Site Address:	Street Record Wilwood Road Bracknell Berkshire		
Proposal:	Formation of 11no. parking spaces on 3no. sections of amenity land.		
Applicant:	David Humphrey		
Agent:	(There is no agent for this application)		
Case Officer:	Olivia Jones, 01344 352000 development.control@bracknell-forest.gov.uk		

Site Location Plan (for identification purposes only, not to scale)



COMMITTEE REPORT – 18/01203/3 – Wilwood Road

1. SUMMARY

- 1.1 The proposal is for the formation of 11no. parking spaces on three areas of amenity land and the increase in width of the turning head.
- 1.2 The development would not result in an adverse impact on the character and appearance of the local area, the amenities of the residents of the neighbouring properties or highway safety.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application has been reported to the Planning Committee as it is a scheme with the Director for Place, Planning and Regeneration is responsible for promoting.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

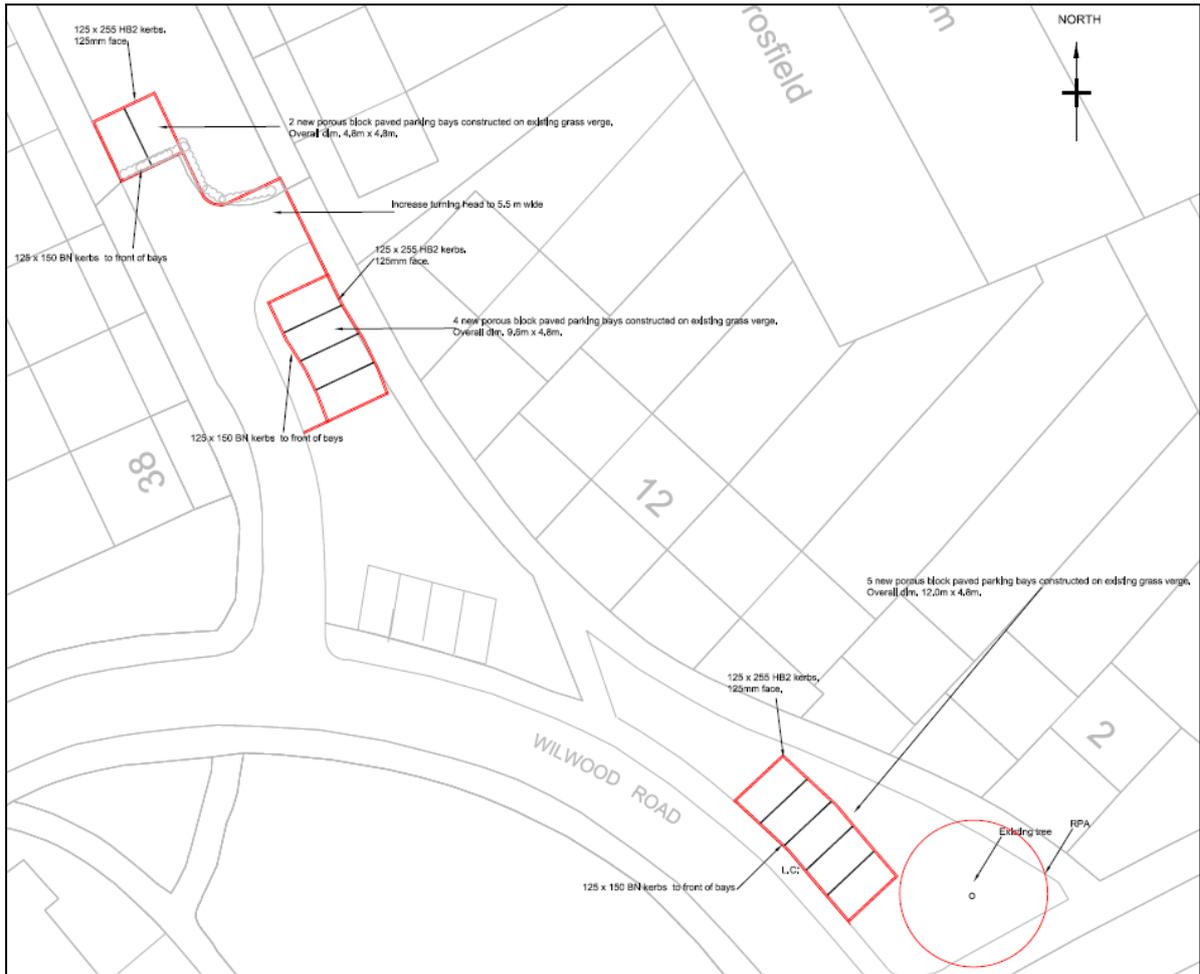
- 3.1 The parking bays would be located on three areas of amenity land:
 - (i) 2no. spaces at the top of the turning area to the front of 30 Wilwood Road;
 - (ii) 4no. spaces on the area to the front of 18 Wilwood Road; and
 - (iii) 5no. spaces to the front of 2-8 Wilwood Road.

4. RELEVANT SITE HISTORY

- 4.1 There is no relevant planning history.

5. THE PROPOSAL

- 5.1 11no. porous block paved parking spaces are proposed facing the highway and the turning head would be enlarged. On average, approximately 75% of the original amenity land would remain. The breakdown is as follows:
 - (i) The 2no. parking spaces would be located on an area which currently benefits from hedging and grass. The remaining amenity land is grassed and includes mature trees. Approximately 91% of the current amenity land would remain.
 - (ii) The 4no. spaces would be located on an area of amenity land which is currently grassed and would include the widening of the existing turning head. 4no. parking bays are already located on this area of amenity land, and taking these into consideration approximately 60% of the original amenity land would remain.
 - (iii) The 5no. spaces would face onto the highway and would be located on an area of amenity land which is currently grassed and contains a prominent tree. The tree would remain, and approximately 75% of the original amenity land would remain.



6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 No comments have been received from Bracknell Town Council.

6.2 Other Representations

Three letters of support have been received for the application. Additional parking bays have been suggested.

[Officer Note: This application can consider only the submitted proposal.]

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Highway Authority

No objection

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and associated policies are:

	Development Plan	NPPF
General policies	CS1 and CS2 of the CSDPD	Consistent
Design	CS7 of the CSDPD,	Consistent
Amenity	'Saved' policies EN1, EN2 and EN20 of the BFBLP	Consistent

Highways	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent - Para. 105 refers to LPAs setting their own parking standards for residential development
Supplementary Planning Documents (SPD)		
Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 Bracknell Forest Borough Streetscene Supplementary Planning Document (2011)		
Other publications		
National Planning Policy Framework (NPPF) (2019)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Impact on Residential Amenity
- iv. Transport and Highways Considerations

i. Principle of Development

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Polices Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with SALP Policy CP1, CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon the character and appearance of the surrounding area, residential amenities of neighbouring properties, highway safety, etc. These matters are assessed below.

ii. Impact on Character and Appearance of Surrounding Area

9.3 The proposed parking bays would result in the loss of approximately 25% of the existing grassed amenity land. The area of amenity land does not benefit from any particular features which are desirable to be retained, and a significant amount of amenity land would remain. A condition would be imposed should planning permission be granted requiring that a landscaping plan be provided to off-set the loss of amenity land.

9.4 The trees to the north of the 2no. spaces proposed at the turning head, and the tree located adjacent to the 5no. parking spaces are important features within the area and therefore would be safeguarded during construction.

iii. Impact on Residential Amenity

9.5 Due to the position and nature of the proposed development, it would not have an adverse impact on the residential amenities of the occupiers of the neighbouring properties.

iv. Transport and Highways Considerations

9.6 Considerable parking pressure occurs along Wilwood Road, thus the provision of these off-street parking bays would improve the parking situation.

9.7 Parking bays of 2.4m by 4.8m are proposed, in line with the Council's standards, and these would be a permeable paving construction, in line with current drainage requirements. Some alterations are proposed within the turning head to provide space for easier access and manoeuvring in and out of the parking bays.

10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the surrounding area, the residential amenity of the occupiers of the neighbouring properties or highway safety. It is therefore considered that the proposed development complies with 'Saved' policies H12, M9, and EN20 of the BFBLP, Policies CS1, CS2, CS7 and CS23 of the CSDPD and the NPPF.

11. RECOMMENDATION

11.1 The application is recommended to be **APPROVED** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details, received 11th December 2018 by the Local Planning Authority, received 18th December 2018:
General Layout – Drawing Number: 4817/358 – Received 18th December 2018
Existing Tree RPAs – Drawing Number: 4817/365 – Received 4th February 2019
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the parking spaces being brought into use, whichever is sooner. All hard landscaping works shall be carried and completed prior to the parking spaces being brought into use. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.
REASON: In the interests of good landscape design and the visual amenity of the area. [Core Strategy DPD CS7, BFBLP 'Saved' Policies EN2 and EN20]
4. The trees shown on the approved plans, shall be protected by installing protective measures within the application site at a distance specified in BS 5837:2012 (or any subsequent revision) Annexe D to the standard illustrated in BS 5837:2012 (or any subsequent revision) Section 6 prior to the commencement of development, including any initial clearance, and shall be maintained fully intact and (in the case of fencing) upright until the completion of all building operations on the site. No activity of any description must occur at any time within these areas including but not restricted to the following: -
 - a) No mixing of cement or any other materials.

- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

Informative(s):

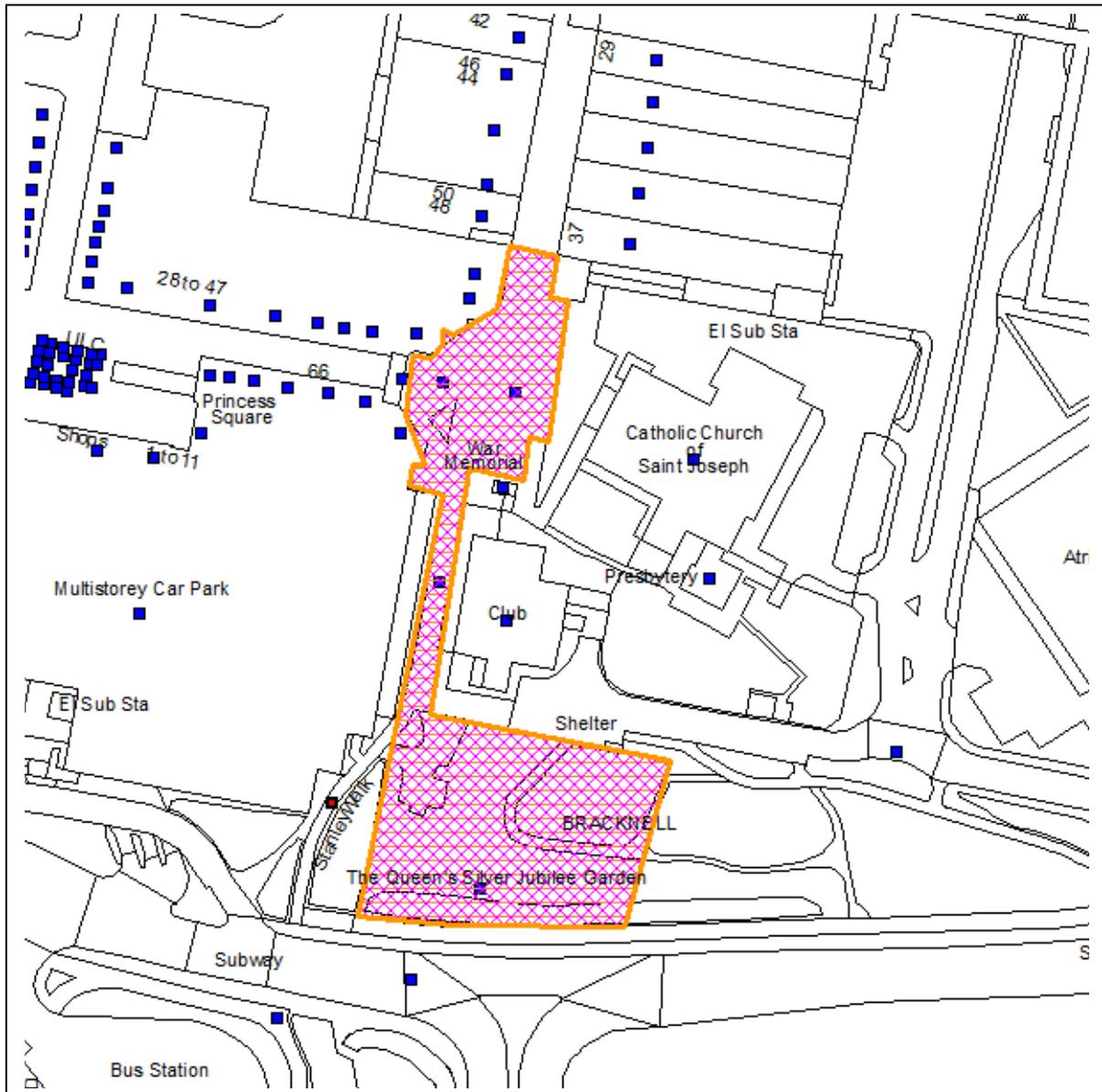
1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 1. Time limit
 2. Approved plans
 4. Tree protection

The applicant is advised that the following conditions require discharging prior to commencement of development:

3. Landscaping

ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
19/00037/3	Wildridings And Central	11 January 2019	8 March 2019
Site Address:	Stanley Walk Bracknell Berkshire		
Proposal:	Siting of outdoor street market with dismountable stalls for three days a week including occasional speciality themed markets and siting of associated storage container within Jubilee Gardens.		
Applicant:	Bracknell Forest Council		
Agent:	(There is no agent for this application)		
Case Officer:	Simon Roskilly, 01344 352000 development.control@bracknell-forest.gov.uk		

Site Location Plan (for identification purposes only, not to scale)



OFFICER REPORT

1. SUMMARY

1.1 The applicant, the Council's Town Centre Project Officer, seeks to make the existing Bracknell Town Centre market operation permanent and to increase the number of days the market will operate from 2 to 3 days a week. The market currently operates on Fridays and Saturdays and, subject to approval, would operate on Tuesdays. However it would be the number of days in any one week that would be fixed and not the specific days. The market will also operate on an occasional basis, within the 3 day a week limit, in order to support speciality themed markets.

1.2 The location of the market will be the same as it currently is, being to the front of Princess Square in Stanley Walk, with the market's associated storage container to remain within Jubilee Gardens.

1.3 Given that the location of the market will not differ from that of the previously assessed temporary market, adequate access for emergency vehicles entering and exiting the Town Centre can still be provided. In order to ensure that adequate space for emergency access remains in place, a condition securing this will be included as was the case with the original temporary permission.

1.4 As per the temporary consent this proposal is also considered not to adversely impact upon the character, appearance and general function of the Town Centre. It has also been confirmed that, subject to conditions, the proposal would not result in any significant adverse impacts upon residential amenity nor would it result in any highway safety implications.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee because the applicant is the Council's Town Centre Project Officer employed within Planning, Place and Regeneration.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Bracknell town centre

Within settlement area.

3.1 The site, as outlined in red, covers Jubilee Gardens and Stanley Walk up to and including the Grade II Listed war memorial and the main pedestrian entrance into Princess Square.

4. RELEVANT SITE HISTORY

4.1 16/00207/3- Siting of outdoor street market, with dismantlable stalls, for two days a week plus speciality days. Siting of associated storage container within Jubilee Gardens (temporary permission until 15th May 2019). (APPROVED APRIL 2016)

5. THE PROPOSAL

5.1 This is a Regulation 3 planning application submitted by the Council's Town Centre Project Officer employed within Planning, Place and Regeneration. The application is for the permanent siting of an outdoor street market with dismantlable stalls for no more than three days a week which would include any occasional speciality themed markets along with the permanent siting of an associated storage container within Jubilee Gardens.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 Bracknell Town Council had made no comments at the time this report was written.

7. SUMMARY OF CONSULTATION RESPONSES

7.1. Local Highway Authority

No objection to the application.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:
i. Impact on Character and Appearance of Area
ii. Impact Upon Residential Amenity
iii. Transport Considerations
these are considered in the following paragraphs.

i. Impact on Character and Appearance of Area

Policy EN20 of the BFBLP and Policy CS7 of the CSDPD are considered to be consistent with Chapter 7 of the NPPF particularly with reference to paragraph 213. They are therefore afforded significant weight.

The proposal is for the siting of dismantlable market stalls and a storage container within the town centre public realm. The proposed market stalls will add to the visual richness and vitality of the centre and their appearance is typical of this type of facility. The proposed location of the storage

container, on the edge of Jubilee Gardens, is not considered to have any significant detrimental impact upon the character, appearance and function of the Town Centre.

ii. Impact Upon Residential Amenity

The applicant wishes for the Market to remain located outside the main pedestrian access to Princess Square, on Stanley Walk east of St. Joseph Roman Catholic Church. There is a sloping embankment rising up from Stanley Walk east towards the front of the Roman Catholic Church. A presbytery bungalow associated with the Roman Catholic Church can be found 75m south east of the market.

The market has now operated for two years, on a two days per week basis, with no known records of any noise and/or disturbance complaints. Given the distance between the Market and the presbytery bungalow, along with the nature of activity associated within the town centre pedestrianised area, it is considered that the proposal will not result in any significant adverse impacts upon residential amenity. As such the proposal is considered to comply with BFBLP Policy EN20.

iii. Transport Considerations

Both the temporary, and now the proposed permanent market, are located within a pedestrianised Town Centre that is considered accessible by public transport and has public car parks.

The applicant's Design and Access Statement notes, 'the market traders will be able to unload vans at location accessing via behind the Royal British Legion building service yard and then returning to park at service yard D (2-3 vehicles) or the High Street car park'. This is likely to be the existing arrangement, and thus would be acceptable.

Given the above statement, increasing the current number of market days from 2 to 3 is considered not to result in any highway safety implications. As such the proposal is considered to accord with Policy CS23 of the CSDPD, Saved Policies E1 and M9 of the BFBLP and the NPPF as it would not result in adverse highway implications.

10. CONCLUSIONS

10.1 The proposal is for the siting of an outdoor street market with dismantlable stalls for three days per week, including occasional speciality themed markets and the siting of an associated storage container within Jubilee Gardens. It is considered to comply with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' Policies E1 and EN20, and the NPPF. It is considered that there would be no adverse impacts upon the character, appearance and function of the Town Centre location, residential amenity or highway safety and the application is therefore recommended for approval.

11. RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out only in accordance with the following approved plans:-

- Weekly Street Market Plan dated 11.01.19
- Weekly Street Market and Storage Unit Plan dated 11.01.19

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03. No market stalls shall be erected and/or operated from on more than 3 days in any one week and not during Remembrance Sunday whichever Sunday this falls on.

REASON: To prevent conflict of uses and to maintain emergency access.

04. No setting up of market stalls or deliveries shall take place before 07:00 on any day.

Reason: In the interests of the amenities of the occupiers of nearby premises.

[Relevant Policies: BFBLP EN25]

05. An access route from Jubilee Gardens to the front of Princess Square with a minimum width of 4m shall be maintained at all times.

REASON: To allow adequate emergency vehicle access to Princess Square.

Informative(s)

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. The applicant is advised to visit; <https://www.bracknell-forest.gov.uk/roads-parking-and-transport/roads/roads-and-street-works-licences> ; or speak to Highway Network Management as it is likely that street work licenses will be required to operate market stalls.

03. Regularly attending caterers and food retailers will be required to either register with Bracknell Forest Council Environmental Health, in compliance with Article 6 (2) of Regulation (EC) No 852/2004, or demonstrate who their registering Council is.

Details relating to registration can be found at

<http://www.bracknellforest.gov.uk/registrationfoodbusinesses>

A copy of the Application can be obtained by ringing our Customer Service Centre on 01344 352000, which is open from 8.30am to 5.00pm, Mondays to Fridays, or by emailing

Environmental.Health@bracknell-forest.gov.uk.

All food operations, regardless of whether or not they are registered outside of Bracknell Forest Council, may be subject to a food safety inspection, to make sure the food is stored, prepared and handled safely.

Operators must ensure appropriate facilities are available to maintain adequate personal hygiene, including facilities for the hygienic washing and drying of hands, hygienic sanitary arrangements and changing facilities. Operators must also ensure an adequate supply of hot and/or cold potable water is available.

Information on starting a food business can be found at

http://www.food.gov.uk/businessindustry/caterers/starting_up/

Alternatively you may request a copy by ringing our Customer Service Centre or by emailing environment.health@bracknell-forest.gov.uk

All traders may be regulated by Bracknell Forest Council, for Health and Safety. Further information on Employer duties and responsibilities can be found to the Health and Safety Executive website, available at <http://www.hse.gov.uk>

04. The applicant is advised to contact the Licensing Team: licence.all@bracknell-forest.gov.uk to discuss any licensing requirements.